

## **Remarks**

The above Amendments and these Remarks are in reply to the Final Office Action mailed on July 25, 2006, and is being filed concurrently with a REQUEST FOR CONTINUED EXAMINATION UNDER 37 C.F.R. §1.114.

### **I. Summary of Examiner's Rejections**

Prior to the Office Action mailed July 25, 2006, Claims 32-33, 35-40 and 45-56 were pending in the Application. In the Office Action, Claims 32-33, 35-40 and 45-56 were rejected under 35 U.S.C. 103(a) as being unpatentable over Clark et al. (U.S. Patent No. 6,317,797, hereinafter Clark) in view of Boothby (U.S. Patent No. 5,684,990) and further in view of Kaufman (U.S. Patent No. 6,034,621).

### **II. Summary of Applicant's Amendment**

The present Response amends Claims 32 and 45 and cancels Claim 46, leaving for the Examiner's present consideration Claims 32-33, 35-40, 45 and 47-56. Reconsideration of the Application, as amended, is respectfully requested. Applicant respectfully reserves the right to prosecute any originally presented or canceled claims in a continuing or future application.

### **III. Claim Rejections under 35 U.S.C. § 103(a)**

In the Office Action mailed July 25, 2006, Claims 32-33, 35-40 and 45-56 were rejected under 35 U.S.C. 103(a) as being unpatentable over Clark et al. (U.S. Patent No. 6,317,797, hereinafter Clark) in view of Boothby (U.S. Patent No. 5,684,990) and further in view of Kaufman (U.S. Patent No. 6,034,621).

#### **Claim 32**

Claim 32 has been amended to more clearly define the embodiment therein. As amended, Claim 32 defines:

32. A method for synchronizing a file type between a first personal computer at home and a second personal computer at office, comprising the steps of:  
receiving a selection from a user on said first computer of at least one file type to monitor;  
monitoring said first computer for modifications to files of said selected file type;  
receiving an accumulation of modifications to the files of said selected file type on the first computer, said modifications received from a user performing work on the first computer;

*recording a file identification responsive to each modification to a file of said selected file type into a work monitor log;*

*reading said work monitor log and for each file identification in said work monitor log, identifying on said second computer a corresponding file identification representative of said recorded file identification;*

*determining, for each file identification in the work monitor log, subsequent to said step of identifying and without user intervention, whether said modified file on said first computer is more recent than said identified file on said second computer; wherein said step of determining includes the steps of:*

*accessing a first date and time associated with said modified file;*

*accessing a second date and time associated with said identified file on said second computer; and,*

*determining if said first date and time is more recent than said second date and time; and,*

*automatically transferring said modified file to said second computer and automatically replacing said identified file on said second computer with said modified file on said first computer, only if it is determined that said modified file on said first computer is more recent than said identified file on said second computer.*

As amended, Claim 32 defines a method for synchronizing file types between a home computer and an office computer. A file type selection is received and files of this selected type are continuously monitored by a work monitor on the home computer. During this monitoring process, an accumulation of modifications to various files is received from the user performing work on the home computer. These modifications are stored in a work monitor log by the work monitor. Subsequently, the log can be read and for each modification, a corresponding file id can be identified on a second computer (i.e. an office computer). The changes to the files recorded in the work monitor log can then be synchronized between the two computers by using the corresponding file identifications.

The advantages of the features in Claim 32 include the ability of workers to “telecommute” (i.e. work on the computer from home) where the files and data can be synchronized between the home computer and the office computer or network. A software product covered by Claim 32 can allow various workers to enjoy higher flexibility and hours by cutting out their commute and allowing the work performed at home to be monitored, logged and synchronized with the data and files at the office by using a work monitor and log that records various modifications that a worker may perform during the day.

Clark teaches a system for automatic synchronization of common file between portable computer and a host computer using a communication with user approval of charge to be incurred. More particularly, Clark appears to disclose the ability of a handheld computer to synchronize files with a host computer when connected by a cradle interface. Once so

connected, various files are scanned and compared to determine any differences and if found, the files on the handheld computer can be updated to reflect the host (Clark, Abstract, col. 16, lines 1-15).

Boothby teaches synchronization of disparate databases. More particularly, Boothby appears to disclose synchronizing data records of a plurality of databases where those data records may include a unique id (Boothby, col. 3, lines 57-64).

Kaufman teaches wireless remote synchronization of data between a PC and a PDA. More specifically Kaufman was cited as disclosing file synchronization between PDA and a PC at different locations by using various wireless communication paths (Kaufman, Abstract). However, Applicant respectfully submits that Clark in combination with Boothby and Kaufman (hereinafter the cited references) still fail to disclose the features of Claim 32.

Firstly, the cited references fail to disclose receiving an accumulation of modifications to files of a selected type and recording a file identification for each such modification into a work monitor log, as defined in Claim 32. This feature can allow a user to record the progress of his work day in order to later synchronize the office computer with the home computer that he is currently using. No such functionality is disclosed in the cited references. For example, Clark merely appears to synchronize files between a portable computer and a host. However, Clark does not appear to disclose anywhere logging changes to files of a user-selected type as the user is performing them during a work day, as defined in Claim 32. More specifically, Clark does not appear to disclose recording a file identification corresponding with each change into a log, as defined in Claim 32. Boothby, on the other hand, merely teaches that a database record may contain a unique id field (col. 3, lines 60-64) – a feature which is well known in the art of database programming. It further teaches that databases containing these records can be synchronized by using a status file. However, Boothby fails to supplement Clark and the cited references still fail to teach that file identifications are logged into a log corresponding to an accumulation of modifications gathered from the user, as defined in Claim 32.

In the Office Action, Clark was cited as disclosing “recording a file responsive to a modification to a file of a selected type” (Office Action, page 3). Applicant respectfully disagrees. The cited portion of Clark merely teaches that “two files are scanned in order to determine any differences” (Clark, col. 16, lines 4-6). Scanning a file for differences is not the same as recording a file (nor file identification) into any work monitor log, as defined in Claim 32. In fact, since the files need to be compared to determine whether any differences exist, Clark would appear to teach away from recording the file ids into a log upon each modification, such that they can be later synchronized by using that log as defined in Claim 32.

Secondly, the cited references fail to disclose reading the work monitor log of file ids and for each file identification therein, identifying a corresponding file id on a second computer and performing the various steps to determine and automatically update the file, as defined in Claim 32. For example, none of the references appear to be concerned with reading any logs, nor determining corresponding file identifications on a second computer for each file id stored in the log. Clark does not appear to be at all concerned with determining a file id on a second computer that corresponds to a file id written in the log. Similarly, Boothby does not appear to perform such a step either.

In the Office Action, Boothby was cited as disclosing “file identification representative of said recorded file identification” (Office Action page 3). Applicant respectfully disagrees. Boothby merely appears to teach a status file which allows a synchronization program to determine if data records in a database have been changed since the last time it was synchronized (Boothby, col. 3, lines 15-23). Further, it also appears to teach that a database record may have a unique id field (col. 3, lines 60-64). However this is not the same as storing a file identification in a log for each user modification to selected files and then reading that log and determining a corresponding file id on a second computer, for each file id entered in the log, as defined in Claim 32.

Thirdly, the cited references fail to disclose receiving a selection of a file type and monitoring said first computer for modifications to files of said selected file type, as defined in Claim 32. None of the references appears to be concerned with receiving selections to monitoring a computer in this manner. For example, Clark merely appears to teach a synchronization flag that is set for those files which have been synchronized. Whenever an entry is made to the synchronized file, the synchronization flag is cleared. This appears to be an alternative to comparing the last dates and times of the two files to determine if they are different (Clark, col. 15, lines 35-40). However, this is not the same as receiving a selection of a specific file type and then monitoring the files of that type and recording a file identification corresponding to each modified file, as defined in Claim 32. In general, Clark does not appear to be concerned with receiving a selection of files to monitor from the user.

Kaufman was merely cited as disclosing synchronizing data between a PC and PDA between two different locations (over wireless communication). As such, Kaufman also fails to disclose the features of Claim 32 discussed above.

In view of the above comments, Applicant respectfully submits that Claim 32, as amended, is neither anticipated by, nor obvious in view of the cited references, and reconsideration thereof is respectfully requested.

#### **Claims 36, 39 and 45**

Claims 36, 39 and 45, while independently patentable, recite limitations that, similarly to those described above with respect to claim 32, are not taught, suggested nor otherwise rendered obvious by the cited references. Reconsideration thereof is respectfully requested.

#### **Claims 33, 35, 37-40 and 47-56**

Claims 33, 35, 37-40 and 47-56 are not addressed separately, but it is respectfully submitted that these claims are allowable as depending from an allowable independent claim, and further in view of the comments provided above. Applicant respectfully submits that Claims 33, 35, 37-40 and 47-56 are similarly neither anticipated by, nor obvious in view of the cited references, and reconsideration thereof is respectfully requested.

It is also submitted that these claims also add their own limitations which render them patentable in their own right. Applicant respectfully reserves the right to argue these limitations should it become necessary in the future.

#### **IV. Conclusion**

In view of the above amendments and remarks, it is respectfully submitted that all of the claims now pending in the subject patent application should be allowable, and reconsideration thereof is respectfully requested. The Examiner is respectfully requested to telephone the undersigned if he can assist in any way in expediting issuance of a patent.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 06-1325 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

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